

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
PHILADELPHIA DIVISION

**Sherice Sargent, et al.,**

Plaintiffs,

v.

**The School District of Philadelphia, et al.,**

Defendants.

Case No. 2:22-cv-01509-CFK

**STIPULATED FACTS**

1. The School District of Philadelphia is a quasi-corporation created pursuant to state statute in order to administer the obligation imposed by the Constitution of the Commonwealth of Pennsylvania to provide a public education to the citizens of the Commonwealth.

2. Defendant William R. Hite was the superintendent of the School District between 2012 and June 16, 2022.

3. The Board of Education of the School District of Philadelphia is the entity responsible for the direction and supervision of the affairs of the School District.

4. Defendants Julia Danzy, Leticia Egea-Hinton, Mallory Fix Lopez, Maria McColgan, Lisa Salley, Reginald L. Streater, Cecelia Thompson, and Joyce Wilkerson were members of the Board of Education of the School District of Philadelphia during the 2021–2022 school year.

5. Defendant Sabriya Jubilee is the School District’s Chief of Equity, Office of Diversity, Equity, and Inclusion, and has held that position since July 6, 2021.

6. Defendant Karyn Lynch is the School District’s Chief of Student Support Services and has held that position since September 24, 2012.

7. An authentic copy of the School District's High School Directory, Fall 2021 Admissions, is attached as Exhibit 1 to this stipulation.

8. An authentic copy of the School District's High School Directory, Fall 2022 Admissions, is attached as Exhibit 2 to this stipulation.

9. An authentic copy of the School District's current web page briefly describing, in FAQ form, the 2021–22 high school admissions process to the city's high schools is attached as Exhibit 3 to this stipulation.

10. An authentic copy of the School District's web page briefly describing, in FAQ form, the 2020–21 high school admissions process is attached as Exhibit 4 to this stipulation. This webpage was downloaded from Internet Archive and reflects the web page as it existed on March 23, 2021.

11. The School District's public high schools fall into one of three categories: (1) neighborhood high schools, also known as "catchment" schools; (2) citywide admission high schools; and (3) criteria-based [formerly called special admission] high schools.

12. Neighborhood or catchment high schools give admission priority to students living within certain defined geographical neighborhood boundaries.

13. Citywide admission high schools accept students from across the city. These schools do not use merit-based admission criteria. Admission to a citywide school is based on the submission of an application and the outcome of a computerized lottery. Admission in these schools is subject to space availability.

14. Special admission or criteria-based high schools, like citywide admission schools, do not have an attendance boundary, and students must apply for admission.

15. The School District has described these criteria-based high schools as those "which offer a rigorous, enriched curriculum that may concentrate on a particular discipline or area of study, such as mathematics, natural sciences, engineering, humanities; social sciences, or fine and performing arts." Ex. 4.

16. The School District's Back to School FAQ page for the 2020–21 school year (Ex. 4) (reflecting the 2020–21 high school admissions process) included the following Questions and Answers:

Q: What is a Special Admission School

A: These schools do not have an attendance boundary either and students must apply through the Selection Process too. Special Admission schools are “magnet schools” which offer a rigorous, enriched curriculum that may concentrate on a particular discipline or area of study, such as mathematics, natural sciences, engineering, humanities, social sciences, or fine and performing arts. They have competitive entrance requirements related to attendance, punctuality, behavior, grades and standardized test scores. These schools select and approve those students for admission who best meet its entrance criteria. Parents/students are encouraged to review the set of admission criteria for each school and the students scholastic record prior to applying.

Q: How are students selected for admission through this process?

A: . . . .

Special Admission Schools—They have competitive entrance requirements based on attendance, punctuality, behavior, grades and standardized test scores. Each school's admissions review team selects and approves students who best meet their admissions criteria. Some of the Special Admission Schools require students to perform an audition or participate in an interview. However, the student must meet admissions criteria first, then is granted or invited to participate.

17. The School Districts Back to School FAQ page for the 2021–22 school year (Ex. 3) (reflecting the 2021–22 high school admissions process) included the following Questions and Answers:

Q: What is a Criteria Based School

A: Schools within the District that do not have a catchment area and can accept students from any part of Philadelphia. Criteria based schools require an application as well as students meeting established criteria in order to gain admission. Admission in these schools is subject to space availability and based on the outcome of a computerized lottery.

18. The 2020–2021 high school admissions process determined a student’s qualification for admission to Academy at Palumbo (“Palumbo”), George Washington Carver High School of Engineering and Science (“Carver”), Central High School (“Central”), and Julia R. Masterman High School (“Masterman”) based on student core course grades, a writing sample, and attendance. Students who wished to attend Masterman also had to complete Algebra I by the end of 8th grade and meet a foreign language requirement.

19. In previous years, applicants to these schools were also required to submit PSSA scores, but the 2020–2021 high school admissions process did not consider PSSA scores because the Pennsylvania Department of Education cancelled the PSSA during the 2019–20 school year when schools across the state were closed due to COVID-19.

20. In the spring of 2021, the School District’s Board of Education approved a policy document entitled “Board of Education Goals & Guardrails.”

21. An authentic copy of the Goals & Guardrails document is attached as Exhibit 5 to this stipulation.

22. In 2021, the School District reviewed and revised the school selection process for qualified students applying to criteria-based schools. As in the prior year, PSSA scores were not considered for students seeking admission to criteria-based schools in the 2021–22 admissions process.

23. The 2021–22 admissions process required applicants to Palumbo, Carver, Central, and Masterman to complete a "district administered writing sample," (*see* Ex. 2, page 4), which was administered and scored by a computer program called MI Write. Students whose computerized essay score equaled or exceeded 22 out of 30 were qualified for admission to Central or Masterman, and only students with essay scores at 17 or above were qualified for admission to Palumbo or Carver.

24. The School District changed its admission process for all criteria-based schools by admitting qualified students to these schools by lottery. The changes are described in the School District's High School Directory, Fall 2022 Admissions, which is attached as Exhibit 2 to this stipulation.

25. The 2021-22 admission process provided qualified students residing in six specified zip codes—19121, 19132, 19133, 19134, 19135, and 19140—with preference in the lottery for admission to Masterman, Central, Carver, and Palumbo. *See* Ex. 2, page 4 (“Zip code preference will be applied at select criteria-based schools for students who meet the minimum qualifications”). If a student was qualified to attend one of those schools, applied for admission, and resided in one of the six specified zip codes, the student would automatically receive admission to that school.

26. An authentic copy of the School District's Research Brief: Enrollment, 9th Grade Student Enrollment in District High Schools by Home Zip Code, 2017-18 to 2020-21, is attached as Exhibit 6 to this stipulation.

27. Exhibit 7 includes the 2020 census data for each general residential zip code in Philadelphia, including the percentage of black (non-Hispanic), white (non-Hispanic), Hispanic or Latino, and Asian residents of each zip code.

28. The following table of information from the School District's “school profiles” web pages shows enrollment at Masterman, Central, Carver, and Palumbo in the 2021–2022 school year by student race:<sup>1</sup>

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1. <https://schoolprofiles.philasd.org/citywide/demographics>

Copies of the web pages for Masterman, Central, Carver, and Palumbo are attached as Exhibit 9 to this Stipulation.

	Asian	Black/African American	Hispanic/Latino	Multi-Racial/Other	White
<b>Academy at Palumbo</b>	36%	34%	11%	4%	15%
<b>Carver High School of Engineering and Science</b>	14%	61%	11%	6%	8%
<b>Central High School</b>	38%	18%	8%	5%	31%
<b>Masterman High School</b>	26%	16%	7%	9%	41%
<b>Philadelphia School District</b>	7%	52%	22%	5%	13%

29. The School District does not have complete data regarding the race of each student who accepted an offer to attend Palumbo, Carver, Masterman, or Central in the 2022–2023 school year. The School District will not have demographic information for the complete incoming class until after August 29, 2022.

30. The School District receives federal funds that it uses to operate its criteria-based schools.

31. On December 15, 2021, the City Council of Philadelphia, Committee on Education, held a hearing on the School District’s plan to change the admissions process for its criteria-based schools.

32. An authentic copy of the transcript of that hearing is attached as Exhibit 8 to this stipulation.

33. Defendant Sabriya Jubilee testified at that hearing.

34. Defendant Karyn Lynch testified at that hearing.

35. Sherice Sargent is the mother of a black female eighth-grade student. Ms. Sargent testified at the December 15, 2021 City Council hearing.

36. During the 2021–2022 school year, Ms. Sargent’s daughter was enrolled in the middle school program at George Washington Carver High School of Engineering and Science (Carver). Carver is a science, engineering, and technical school for grades 7 and 8 (middle school) and 9 through 12 (high school).

37. Based on the qualification criteria used in the 2021–22 process, Ms. Sargent’s daughter was qualified for the lottery to attend Carver based on her sixth-grade grades.

38. Ms. Sargent’s daughter was not admitted to Carver. Instead, she was wait-listed at Carver. She initially received waitlist number 187. Her waitlist number as of June 23, 2022 was 156.

39. Ms. Sargent’s daughter was admitted to three criteria-based high schools: Walter B. Saul High School, Lankenau Environmental Science Magnet High School, and Science Leadership Academy at Beeber.

40. Ms. Sargent’s daughter accepted the offer to attend Walter B. Saul High School and declined the offers from Lankenau Environmental Science Magnet High School and Science Leadership Academy at Beeber.

41. Ms. Sargent and her daughter live in zip code 19144.

42. Michele Sheridan is the mother of an eighth-grade student at Christopher Columbus Charter School.

43. Ms. Sheridan’s son is non-white (bi-racial) and lives in the 19147 zip code.

44. Ms. Sheridan’s son applied for admission to the Academy at Palumbo, a criteria-based school.

45. Ms. Sheridan’s son attended a charter school for sixth and seventh grade, and his grades in those years were As and Bs. He also scored 22.3 on the school district’s admission essay.

46. Ms. Sheridan's son was not admitted to the Academy of Palumbo. He was initially wait-listed at number 530 and as of June 24, 2022 was wait-listed at number 469.

47. Ms. Sheridan's son was admitted to Franklin Learning Center, a criteria-based admission high school.

48. Joshua Meyer is the parent of an eighth-grade student at Julia R. Masterman Middle School. Mr. Meyer's son had A's in 6th and 7th grades. He scored 25.6 on the writing sample.

49. Mr. Meyer's son was not admitted to Masterman (as of June 24, 2022, his waitlist number was 82). He was admitted to Academy at Palumbo and Carver—both criteria-based schools.

50. Mr. Meyer's son declined the offer from Palumbo and accepted the offer from Carver.

51. Mr. Meyer's son has transferred to Springside Chestnut Hill Academy, a private, preparatory high school. Mr. Meyer's son has not withdrawn his enrollment at Carver.

Respectfully submitted.

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Dated: July 21, 2022

## **EXHIBITS TO STIPULATED FACTS**

1. High School Directory, Fall 2021 Admissions.
2. High School Directory, Fall 2022 Admissions.
3. School District's current web page describing, in FAQ form, the 2021–22 high school admissions process.
4. School District's web page describing, in FAQ form, the 2020–21 high school admissions process.
5. Board of Education Goals & Guardrails.
6. School District's Research Brief: Enrollment, 9th Grade Student Enrollment in District High Schools by Home Zip Code, 2017–18 to 2020–21.
7. 2020 census data for each general residential zip code in Philadelphia.
8. Transcript of December 15, 2021 hearing—City Council of Philadelphia, Committee on Education.
9. Copies of the “school profiles” web pages for Masterman, Central, Carver, and Palumbo.

**CERTIFICATE OF SERVICE**

I certify that on July 21, 2022, I served this document through CM/ECF upon:

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